

REMARKS:

Claims 35-40 and 43-46 are pending in the application. Claims 35 and 40 are currently amended. No new matter has been added as the amendments have support in the specification as originally filed. It is submitted that the application, as amended, is in condition for allowance. Reconsideration and reexamination are respectfully requested.

Applicant thanks the Examiner for acknowledgement of the Applicant's claim of foreign priority under 35 U.S.C. § 119(a). However, we note that on the Office Summary page box "b" was checked indicating that only some of the priority documents are received. There is only one foreign priority application in this matter and it was submitted with the USPTO at the time of filing of the present application. Applicant respectfully requests the proper corrections in the next communication regarding this application.

Claims 35-40 and 43-46 are rejected under 35 U.S.C. §103(a) as being unpatentable over what the Examiner contends is applicant admitted prior art (hereafter "AAPA") in view of Saiki et al. (US 6,259,935). Applicant respectfully traverses these rejections, and requests reconsideration and allowance of the pending claims in view of the following arguments.

As amended, independent claim 35 recites the amplified ring tone signals and the amplified voice signals are input to the filter via a first path which originates from the output of the amplifier, and wherein the amplified non-filtered vibration signal is input to the MFD via a second path which originates from the output of the amplifier and bypasses the filter.

Page 6 of the Office Action states that Fig. 2 and paragraphs 12-17 of the AAPA disclose "the third state using a second path that is at least partially distinct from the first path for, amplifying a signal the amplifier external to the audio processor and providing the amplified, non-filtered signal to the MFD to produce a vibration." Applicant provides the following remarks.

A review of Fig. 2 of the AAPA reveals that the output of the amplifier is directly input to the MFD. The output of the amplifier is not input to a filter, moreover, since there is no filter, the output cannot bypass a filter. Accordingly, the AAPA only discloses one path between the

amplifier and the MFD. Thus, Applicant submits that claim 35 is distinguishable from the AAPA since the AAPA only discloses one path.

Specifically, claim 35 recites “amplified ring tone signals and the amplified voice signals are input to the filter via a first path which originates from the output of the amplifier,” and “the amplified non-filtered vibration signal is input to the MFD via a second path which originates from the output of the amplifier and bypasses the filter.” In other words, a first path is output from the amplifier and input to the filter, while a second path is output from the amplifier and bypasses the filter to be input to the MFD.

While the AAPA may arguably disclose one path which is output from the amplifier, the one path of the AAPA is not the same as a first path for inputting the amplified ring tone signals and the amplified voice signals to the filter, nor is the one path of the AAPA the same as the second path for inputting the amplified non-filtered vibration signal to the MFD and bypassing the filter. Thus, Applicant submits that the AAPA cannot teach or suggest “the amplified ring tone signals and the amplified voice signals are input to the filter via a first path which originates from the output of the amplifier, and wherein the amplified non-filtered vibration signal is input to the MFD via a second path which originates from the output of the amplifier and bypasses the filter,” as recited in claim 35.

Additionally, Applicant submits that Saiki also fails to disclose the first path and second path as recited in claim 35. At best, Saiki arguably discloses a path that is input to a filter, however, Saiki fails to disclose a second path which is output from an amplifier and bypasses the filter to be directly input to the MFD.

Moreover, even if one having ordinary skill in the art would have modified the teachings of the AAPA with Saiki as suggested in the Office Action, Applicant submits that the modified teachings of the mobile terminal adopting the MFD would not disclose the first path and the second path as recited in claim 35, since, at best, the modified teachings of the mobile terminal adopting the MFD would arguably only include one path which passes through a high pass filter. Applicant submits that there is no evidence in the art to suggest a motivation to create a second path which bypasses the filter.

Therefore, notwithstanding the arguments presented above with regard to the AAPA, Applicant submits that neither Saiki or a combination of the references may teach or suggest “the amplified ring tone signals and the amplified voice signals are input to the filter via a first path which originates from the output of the amplifier, and wherein the amplified non-filtered vibration signal is input to the MFD via a second path which originates from the output of the amplifier and bypasses the filter,” as recited in claim 35.

Applicant has demonstrated above that the AAPA and Saiki fail to teach or suggest various features recited in claim 35. Therefore, claim 35 should be allowable over the cited combination of references. Additionally, independent claim 40 recites elements similar to independent claim 35 and should be allowable for reasons similar to those presented with respect to independent claim 35. Finally, claims 36-39 and 43-46 should be allowable at least by virtue of their dependence on an allowable base claim.

CONCLUSION

In light of the above remarks, Applicant submits that the present Amendment places all claims of the present application in condition for allowance. Reconsideration of the application is requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,
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Date: May 26, 2010

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